

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 624 OF 2004

IN

SUM. SUIT NO. 1182 OF 2004

Dr. Padmakar A. Loke .. Plaintiff.

VS.

Mukeh P. Jashnani & Anr. .. Defendants.

Mr. R.R. Mishra for plaintiff.

Mr. H.N. Thakore i/by Thakore Jariwala
& Associates for defendants.

Mr. M.D. Naik, AGP present on notice.

Mr. A.R. Shinde, DCP & R.J. Mohite PSI present
on notice

CORAM : S.U. KAMDAR, J.

DATE : 26th SEPTEMBER, 2005.

P.C.:

. I have called for record from the Sion Police Station. Xerox copies of the documents are produced by the concerned police station. From the Xerox copies of the bills of exchange I find that the documents are not properly stamped. In that view of the matter, the bills of exchange are

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inadmissible in evidence and, therefore, an unconditional leave to defend is required to be granted. Summons for judgment is dismissed accordingly. Unconditional leave to defend.

2. In view of the non-compliance of the order passed by me on 19.9.2005, I have issued a show cause notice pursuant to my order dated 21.9.2005. In response thereto the concerned police officers are present. The learned counsel appearing on behalf of the State states that appropriate enquiry will be made for non-compliance of the order passed by this Court and if necessary appropriate action will be initiated. On such an assurance given by the learned A.G.P. I discharge the show cause notice. Show Cause Notice discharged. There shall be no order as to costs.